

Message Text

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ORIGIN EA-12

INFO OCT-01 ISO-00 HA-05 SSO-00 AID-05 AGRE-00 L-03
EB-08 IGA-02 OMB-01 TRSE-00 DODE-00 H-01 CIAE-00
INR-07 NSAE-00 SP-02 NSCE-00 INRE-00 SS-15 /062 R

DRAFTED BY EA/TIMBS:REFRITTS
APPROVED BY EA/TIMBS:REFRITTS
-----087130 080032Z /12
O 072333Z DEC 77
FM SECSTATE WASHDC
TO AMEMBASSY JAKARTA IMMEDIATE

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E.O. 11652: N/A

TAGS: EAID, ID

SUBJECT: LEGISLATION AND HUMAN RIGHTS: PL-480

REF: JAKARTA 16422

1. FOLLOWING IS THE TEXT OF THE AMENDMENT TO THE AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954 WHICH BECAME EFFECTIVE ON OCTOBER 1, 1977. BEGIN TEXT:

SEC. 112(A) NO AGREEMENT MAY BE ENTERED INTO UNDER THIS TITLE TO FINANCE THE SALE OF AGRICULTURAL COMMODITIES TO THE GOVERNMENT OF ANY COUNTRY WHICH ENGAGES IN A CONSISTENT PATTERN OF GROSS VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS, INCLUDING TORTURE OR CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT, PROLONGED DETENTION WITHOUT CHARGES, OR OTHER FLAGRANT DENIAL OF THE RIGHT TO LIFE, LIBERTY, AND THE SECURITY OF PERSON, UNLESS SUCH AGREEMENT WILL DIRECTLY BENEFIT THE NEEDY
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PEOPLE IN SUCH COUNTRY. AN AGREEMENT WILL NOT DIRECTLY BENEFIT THE NEEDY PEOPLE IN THE COUNTRY FOR PURPOSES OF THE PRECEDING SENTENCE UNLESS EITHER THE COMMODITIES THEMSELVES OR THE PROCEEDS FROM THEIR SALE WILL BE USED FOR SPECIFIC PROJECTS OR PROGRAMS WHICH THE PRESIDENT

DETERMINES WOULD DIRECTLY BENEFIT THE NEEDY PEOPLE OF THAT

COUNTRY. THE AGREEMENT SHALL SPECIFY HOW THE PROJECTS OR PROGRAMS WILL BE USED TO BENEFIT THE NEEDY PEOPLE AND SHALL REQUIRE A REPORT TO THE PRESIDENT ON SUCH USE WITHIN SIX MONTHS AFTER THE COMMODITIES ARE DELIVERED TO THE RECIPIENT COUNTRY.

(B) TO ASSIST IN DETERMINING WHETHER THE REQUIREMENTS OF SUBSECTION (A) ARE BEING MET, THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY OF THE SENATE OR THE COMMITTEE ON INTERNATIONAL RELATIONS OF THE HOUSE OF REPRESENTATIVES MAY REQUIRE THE PRESIDENT TO SUBMIT IN WRITING INFORMATION DEMONSTRATING THAT AN AGREEMENT WILL DIRECTLY BENEFIT THE NEEDY PEOPLE IN A COUNTRY.

(C) IN DETERMINING WHETHER OR NOT A GOVERNMENT FALLS WITHIN THE PROVISIONS OF SUBSECTION (A), CONSIDERATION SHALL BE GIVEN TO THE EXTENT OF COOPERATION OF SUCH GOVERNMENT IN PERMITTING AN UNIMPEDED INVESTIGATION OF ALLEGED VIOLATIONS OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS BY APPROPRIATE INTERNATIONAL ORGANIZATIONS, INCLUDING THE INTERNATIONAL COMMITTEE OF THE RED CROSS, OR GROUPS OR PERSONS ACTING UNDER THE AUTHORITY OF THE UNITED NATIONS OR OF THE ORGANIZATION OF AMERICAN STATES.

(D) THE PRESIDENT SHALL TRANSMIT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, LIMITED OFFICIAL USE

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AND THE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY OF THE SENATE, IN THE ANNUAL PRESENTATION MATERIALS ON PLANNED PROGRAMMING OF ASSISTANCE UNDER THIS ACT, A FULL AND COMPLETE REPORT REGARDING THE STEPS HE HAS TAKEN TO CARRY OUT THE PROVISIONS OF THIS SECTION. END TEXT. CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, PL 480, LEGISLATIVE BILLS
Control Number: n/a
Copy: SINGLE
Sent Date: 07-Dec-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE292450
Document Source: CORE
Document Unique ID: 00
Drafter: REFRITTS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770455-0536
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19771281/aaaacqpa.tel
Line Count: 99
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ec7c9009-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 JAKARTA 16422
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 321694
Secure: OPEN
Status: NATIVE
Subject: LEGISLATION AND HUMAN RIGHTS: PL-480
TAGS: EAID, ID
To: JAKARTA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ec7c9009-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009